

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
Skybridge Spectrum Foundation, ¹)	BK Case No. 16-10626 (CSS)
)	
Debtor.)	
<hr style="width: 40%; margin-left: 0;"/>)	
Skybridge Spectrum Foundation)	
)	
Appellant,)	Civil Action No. 16-633 GMS
)	
v.)	
)	
Dr. Arnold Leong,)	
)	
Appellee.)	

**DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD
ON APPEAL AND STATEMENT OF ISSUES ON APPEAL OF
APPELLANTS SKYBRIDGE SPECTRUM FOUNDATION**

In accordance with Rule 8006 of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”), Appellants Skybridge Spectrum Foundation (“Skybridge” or “Appellant”), by and through its undersigned proposed counsel, hereby respectfully submits the following (i) designation of items to be included in the record on appeal, and (ii) statement of issues on appeal, filed in connection with its *Notice of Appeal*, filed on July 25, 2016 [Bankruptcy Docket No. 139]. The orders appealed from are (i) the order granting the *Motion of Dr. Arnold Leong to Dismiss Debtor’s Bankruptcy Case Pursuant to 11 U.S.C. §§ 1112(b) and 305(a)* [Bankruptcy Docket No. 120] (the “Dismissal Order”) entered in the above-captioned chapter 11 case on May 6, 2016 and (ii) the order denying the *Debtor’s Motion for*

¹ The last four digits of the Debtor’s federal tax identification number are 8487. The Debtor’s mailing address is 2509 Stuart Street, Berkeley, CA 94705.

Reconsideration of Order Dismissing Case [Bankruptcy Docket No. 133] (the “Reconsideration Order”), entered in the above-captioned chapter 11 case on July 11, 2016.

DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL²

Appellant designates the following items to be included in the record on appeal:

Designation No.	Bankruptcy Docket No.	Date	Description
1.	1	3/11/16	Chapter 11 Voluntary Petition for Non-Individuals Filing for Bankruptcy
2.	3	3/11/16	Application Pursuant to Sections 327(a) and 1107 of the Bankruptcy Code, Fed. R. Bankr. P. 2014(a) and Del. Bankr. L. R. 2014-1 for an Order Authorizing the Employment and Retention of Sullivan Hazeltine Allinson LLC as Counsel for the Debtor and Debtor-In-Possession Nunc Pro Tunc to the Petition Date
3.	15	3/24/16	Debtor’s Objection to Receiver’s Emergency Motion for Relief from Stay and Excuse from Turnover to Allow Receiver to Renew Certain FCC Licenses
4.	18	3/24/16	Order Granting Emergency Motion of Receiver Susan L. Uecker for Relief from Stay and Excuse from Turnover to Allow Receiver to Renew Certain FCC Licenses
5.	27	3/29/16	Transcript of Hearing held of March 24, 2016
6.	31	3/29/16	Debtors’ Motion for Order Authorizing Debtors to (A) Continue and Maintain Consolidated Cash Management System and Existing Bank Account and Books and Records; (B) Continue Use of Existing Business Forms; and (C) Granting Interim and Final Waiver of Section 345 Requirements

² Skybridge reserves its rights to amend this designation of record of items to be included in the record on appeal. For items designated, the designation includes all documents referenced within the particular document number, including, without limitation, all exhibits, attachments, declarations and affidavits related thereto.

Designation No.	Bankruptcy Docket No.	Date	Description
7.	32	3/29/16	Motion for Entry of an Order Authorizing Retention and Payment of Professionals Utilized by the Debtor in the Ordinary Course of Business
8.	33	3/29/16	Motion for Entry of an Order Granting Additional Time Within Which to File Schedules and Statements
9.	63	4/15/16	Notice of Application regarding Application of Sullivan Hazeltine Allinson LLC as counsel for the Debtor
10.	64	4/15/16	Motion of the Debtor for an Order Pursuant to 11 U.S.C. §§ 105(a) and 331 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals
11.	68	4/15/16	Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate
12.	70	4/18/16	Declaration of Warren C. Havens in Support of Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate
13.	74	4/25/16	Errata Sheet to Declaration of Warren C. Havens in Support of Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate
14.	83	4/29/16	Omnibus Objection of Dr. Arnold Leong to Debtor's Motions: (A) for Authority to Continue and Maintain Consolidated Cash Management System [Docket No. 31]; (B) for Authority to Retain and Pay Ordinary Course Professionals [Docket No. 32]; (C) for Additional Time Within Which to File Schedules and Statements [Docket No. 33]; and (D) to Establish Interim Compensation Procedures [Docket No. 64]
15.	84	4/29/16	Opposition of Dr. Arnold Leong to Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate

Designation No.	Bankruptcy Docket No.	Date	Description
16.	86	4/29/16	Omnibus Statement and Joinder of Puget Sound Energy, Inc. in Opposition to Turnover by Receiver and in Support of Related Relief
17.	87	4/29/16	Omnibus Opposition of Puget Sound Energy, Inc. to First Day Motions; Limited Opposition to Retention Application
18.	90	4/29/16	Objection of Susan L. Uecker, the Court-Appointed Receiver, to Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate
19.	91	4/29/16	Limited Objection of Susan L. Uecker, the Court-Appointed Receiver, to Debtor's Motion for Order Authorizing Debtor to (A) Continue and Maintain Consolidated Cash Management System and Books and Records, and Replace and Bank Account; (B) Continue Use of Existing Business Forms; and (C) Granting Interim and Final Waiver of Section 345 Requirements
20.	94	4/29/16	Debtor's Omnibus Response to (1) Objection of Dr. Arnold Leong to Setting of Purported First Day Motions on an Emergency Basis and (2) Joinder of Puget Sound Energy, Inc. Thereto
21.	95	4/29/16	Debtor's Objection to Amended Motion of Dr. Arnold Leong for Order (I)(A) Excusing Receiver from Compliance with Section 543 of the Bankruptcy Code; and (B) Granting Relief from the Automatic Stay Pursuant to Section 362 of the Bankruptcy Code; or (II) Appointing a Chapter 11 Trustee Pursuant to Section 1104(a) of the Bankruptcy Code
22.	96	4/29/16	Debtor's Objection to Motion of Susan L. Uecker, the Court-Appointed Receiver, for Entry of an Order Preserving the Status Quo of the Receivership Pending a Hearing on Excusal from Compliance with Section 543 of the Bankruptcy Code and Dr. Leong's Motion to Dismiss the Bankruptcy Case

Designation No.	Bankruptcy Docket No.	Date	Description
23.	97	4/29/16	Debtor's Objection to Motion of Dr. Arnold Leong to Dismiss Debtor's Bankruptcy Case Pursuant to 11 U.S.C. §§ 1112(b) and 305(a)
24.	98	4/29/16	Declaration of Warren Havens in Support of Debtor's Pleadings of April 29, 2016
25.	99	4/29/16	Debtor's Limited Objection to Request for Judicial Notice in Support of Motion of Dr. Arnold Leong to Dismiss Debtor's Bankruptcy Case Pursuant to 11 U.S.C. §§ 1112(b) and 305(a)
26.	100	4/29/16	Debtor's Objection to Request for Judicial Notice in Support of Opposition of Dr. Arnold Leong to Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate
27.	105	5/4/16	Reply in Support of Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate
28.	109	5/4/16	United States' Limited Response to Motions Filed by Debtor, Receiver and Leong
29.	111	5/4/16	Motion for Leave to File and Serve the Debtor's Reply in Support of Debtor's Motion Compelling Custodian to Turn Over Property of Debtor's Estate Out of Time
30.	120	5/6/16	Order Dismissing Chapter 11 Case
31.	122	5/9/16	Transcript of Hearing held May 6, 2016
32.	124	5/20/16	Debtor's Motion for Reconsideration of Order Dismissing Case
33.	125	5/20/16	Declaration of Warren C. Havens in Support of Debtor's Motion for Reconsideration of Order Dismissing Case
34.	130	7/1/16	Debtor's Reply in Support of Motion for Reconsideration of Order Dismissing Case

Designation No.	Bankruptcy Docket No.	Date	Description
35.	133	7/11/16	Order Denying Motion to Reconsider Dismissal of Case
36.	134	7/11/16	Order Denying Debtor's Motion to Stay Pending Appeal of Order Dismissing Case
37.	139	7/25/16	Notice of Appeal
38.	143	7/27/16	Amended Transcript of Hearing held July 11, 2016
39.	-	-	<p>Designations from July 11, 2016 Hearing:</p> <p>D – 1 - May 6 hrg transcript; D – 2 - Skybridge COI; D – 3 - Skybridge Bylaws; D - 4 - Receivership Order as Modified; D – 5 - Telesaurus - VPC LLC Operating Agreement ; D – 6 - Telesaurus Holdings GB LLC Operating Agreement; D – 7 - Aug 11, 2015 Hrg TRANS <i>Leong v Havens</i>; D – 8 - Oct 31, 2014 Hrg TRANS. <i>In re Ferrous Miner Holdings</i>; D – 9 - FCC Petition to Stay; D – 10 - May 31, 2016 Financial Statements; D – 11 - Feb 18, 2016 Proposed Order from California; D – 12 - Feb 25, 2016 Order from California; D – 13 - Caption page from Second Amended Complaint; and D – 14 - Hrg TRANS. Jun 30, 2016 <i>Leong v Havens</i></p>

STATEMENT OF ISSUES PRESENTED ON APPEAL

Pursuant to Federal Rule of Bankruptcy Procedure 8006, Skybridge identifies the following issues to be presented on appeal:

1. Whether the Court erred in dismissing Debtor's case on the rationale that the injunctive provisions of the California Receivership Order applicable to Mr. Havens did not, as a practical matter on the facts and circumstances *sub judice*, deprive the Debtor of its right to access the benefits and protections of the uniform federal bankruptcy laws, including:
 - a. Whether the Court erred in relying upon *In re El Torero Licores*, 2013 WL 6834609 (C.D. Cal. Dec. 20, 2013)?
 - b. Whether the Court erred in relying upon *In re Ferrous Miner Holdings, Ltd.*, Case No. 14-12343 (BLS) (Bankr. D. Del. 2014)?
 - c. Whether the Court erred by not following the rationale set forth in *In re Orchards Village Investments, LLC*, 405 B.R. 341 (Bankr. D. Or. 1985)?
2. Whether the Court erred in dismissing Debtor's case on the rationale that the injunctive provisions of the California Receivership Order applicable to the Debtor, which the Court found to be unenforceable, did *not* render the entirety of the injunctive provisions invalid, including as to Mr. Havens?
3. Whether the Court erred in failing to properly interpret or apply the United States Supreme Court's holdings in the following three cases:
 - a. *Price v. Gurney*, 324 U.S. 100 (1945)?
 - b. *International Shoe Co. v. Pinkus*, 278 U.S. 261 (1929)?
 - c. *Relfe v. Rundle*, 103 U.S. 222 (1880)?
4. Whether the Court misinterpreted Section 9.4 of the Arbitration Agreement that permits Mr. Havens to seek injunctive and equitable relief from a court other than the California Superior Court?

5. Whether the Debtor was deprived of Constitutional Due Process when the Court *sua sponte* dismissed its case without prior notice or opportunity for briefing?
- a. If so, whether that deprivation was retroactively cured by the manner in which the Court handled Debtor's Motion for Reconsideration and the Court's hearing of that motion?
- b. If not, whether Debtor's case, along with the automatic stay of 11 U.S.C. § 362, must be reinstated effective May 6, 2016, and Debtor may pursue remedies for violation of the stay after that date.
6. Whether the Court erred in finding that Debtor's right to access uniform federal bankruptcy laws is preserved if effectuating that right requires Debtor to make fundamental changes in its core membership and control structure?

Date: August 8, 2016
Wilmington, DE

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